

April 1, 2013

To the members of the Planning Commission:

This is in reference to the planned change in parking requirements for the office building at 441 Old Newport Blvd. This building is approximately 11,500 ft.<sup>2</sup>, but there are only 44 onsite parking spaces. This does not meet the city's criteria for even a commercial office building, let alone a medical office building. In order to come close to the requirements to park it as a medical building, they are going to be parking in a lot next-door. This is currently an abandoned restaurant.

We are the owners of medical office buildings on either side of this proposed medical office building (at 415 and 455 Old Newport Blvd.) and we can attest to the fact that there is a severe parking problem here. Many of the neighboring businesses do not have adequate parking and there are only 7 total public parking spaces on the street. As result, we are constantly "shooing" people out of our parking lots when they are unable to find parking in nearby office buildings and restaurants.

We have several problems with this current proposal: No one will ever park in that abandoned building lot owned by the Soffers; it is unpaved, unkempt, and it currently looks like a "haunted house". After the patrons circle the inadequate 441 lot and cannot find a parking space, they will simply look for a well tended, paved lot to park in- which would be one of our lots. As you stated before, the 441 parking arrangement is not "permanent nor marked". How would that qualify as a solution to the 441 parking problems?

We also have grave concerns that some day (hopefully sooner than later) the abandoned restaurant will be either torn down to make way for an office building or will be reopened as a restaurant. Unfortunately for everyone, the patrons of that new office building or restaurant will claim those parking spots and that parking will no longer be available to the 441 patrons. Then what? Will the Planning Commission force medical renters to leave the building? Someone stated that a future restaurant at the Soffer site would be "only open at night". First of all, we have no assurance that that is the case. Secondly, even if it was opened only at night, restaurant staff would have to be there early in the day to prep for service and restaurants that are open "only the evening", usually open before 5 PM when you would expect medical office traffic to still be using the parking. We don't see any change to the problems that led to the Planning Commission turning this project down the first time. The agreement seems unchanged, except for the fact that the old agreement was signed by Sid Soffer who passed away years ago and the new agreement is signed by his widow. The property is still in bankruptcy, no paving or other improvements have been made and nothing is guaranteed to be done.

We had to "follow the rules" in building our office buildings, and as a matter of fact were limited to partial medical/partial commercial at the 445 building due to required code parking restrictions; as were the others who did construction in the area. We request that this office building at 441 be required to provide the adequate permanent parking required by code for all buildings. And that they not be allowed to break the rules and impose hardship on the rest of the buildings in our area.